



LAHIVE

&

COCKFIELD

L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICA NAND
MICHAEL PHILLIPPS *
LISA M. DIROCCO
SENIOR COUNSEL
JAMES E. COCKFIELD
OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
PATENT AGENTS
PETER S. STECHER
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
HATHAWAY P. RUSSELL
DANIEL B. KO

6P 1655
TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.**
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFIELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. MCPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB
PETER A. DIMATTIA
JONATHAN M. SPARKS, Ph.D.
CRISTIN E. HOWLEY, Ph.D.
VINCENT P. LOCCISANO
MERIDETH C. ARNOLD
* Admitted in NY only
** Passed the Patent Bar Examination

January 11, 2002

RECEIVED

FEB 07 2002

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/779,152
Title: *Diagnostic Assays and Kits for Body Mass and Cardiovascular Disorders*
Applicant(s): Susan L. Acton, et al.
Filed: February 8, 2001
Our Reference: MNI-172CP2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Preliminary Amendment and Response to Restriction Requirement (including Appendix A and Version with Markings to Show Changes Made (9 pages); and
2. Return receipt postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

January 11, 2002

Date

DeAnn F. Smith, Esq., Reg. No. 36,683

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

DeAnn F. Smith, Esq.
Reg. No. 36,683
Attorney for Applicants